

NEXUS BANKRUPTCY
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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In re:

KRISTINA LYNN SMITH,

Debtor.

Case No: 8:24-bk-12527-TA

Chapter 7

**JOINDER TO TRUSTEE'S MOTION FOR
ORDER AUTHORIZING THE SALE OF
REAL PROPERTY**

Hearing:

Date: January 15, 2026

Time: 9:00 AM

Courtroom: 5C

Jeffrey Adams Gomez ("Gomez"), joint tenant and co-owner of the real property located at 27591 Kathy Court, Laguna Niguel, California (the "Property"), hereby submits this Joinder to the Chapter 7 Trustee's Motion for Order Authorizing Sale (the "Motion").

Gomez fully supports the Trustee's Motion and requests that the Court grant the Motion in its entirety. However, to ensure that there is no ambiguity regarding the funds being received by the Trustee on Gomez's behalf, he asserts the following reservations of rights.

Gomez's consent to this sale and his agreement to allow the Trustee to temporarily hold the proceeds shall not be construed as a waiver of his homestead exemption. Gomez asserts that the funds held by the Trustee retain their character as proceeds of a homestead pursuant to California Code of Civil Procedure §704.720.

Gomez does not concede to the Trustee's proposed allocation of the judgment liens (Stegmeier, Neshanian, and R&S Law Group) solely to Gomez's share of the proceeds. Gomez

1 reserves the right to assert that these debts are "community claims" under 11 U.S.C. §101(7) that
2 must be paid from the community estate pursuant to 11 U.S.C. § 726(c).

3
4 **CONCLUSION**

5 Gomez requests that the Court grant the Motion in its entirety, authorize the sale,
6 authorize the reimbursement to Gomez, and order that the remaining proceeds attributable to
7 Gomez's interest be held by the Trustee pending a final determination of the distribution rights
8 and lien priorities.

9
10 **NEXUS BANKRUPTCY**

11 Date: January 1, 2026

/s/Benjamin Heston

BENJAMIN HESTON,
Attorney for Movant

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

**3090 Bristol Street #400
Costa Mesa, CA 92626**

A true and correct copy of the foregoing document entitled (*specify*): **JOINDER TO TRUSTEE'S MOTION FOR ORDER AUTHORIZING THE SALE OF REAL PROPERTY** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 1/1/2026, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

David Coats dacoats@raslg.com
Benjamin Heston bhestonecf@gmail.com, benheston@recap.email, NexusBankruptcy@jubileebk.net
Richard G. Heston rheston@hestonlaw.com,
yflores@hestonlaw.com, docs@hestonlaw.com, HestonRR41032@notify.bestcase.com, hestonlaw@recap.email
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Jennifer C Wong bknotice@mccarthyholthus.com, jwong@ecf.courtdrive.com

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 1/1/2026 I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Judge Scott C. Clarkson
411 West Fourth Street
Suite 5130 / Courtroom 5C
Santa Ana, CA 92701-4593

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL

Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed (state method for each person or entity served):

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

1/1/2026
Date

Benjamin Heston
Printed Name

/s/Benjamin Heston
Signature